

Hearing Officer Transmittal Checklist

Hearing Date
10/18/2016
Agenda Item No.

17

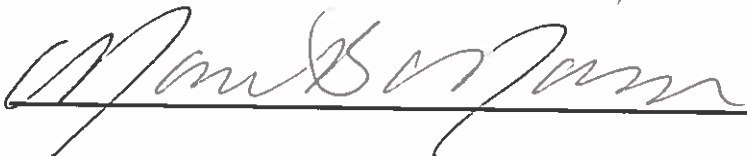
Project Number: 2016-000369-(5)

Case(s): Conditional Use Permit No. RPPL 2016002957
Oak Tree Permit No. RPPL 2016002144

Planner: Carl Nadela

- ☒ Factual
- ☒ Property Location Map
- ☒ Staff Report
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement
- ☐ Environmental Documentation (ND)
- ☒ Correspondence
- ☒ Photographs
- ☒ Aerial Image(s)
- ☒ Land Use Radius Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans
- ☒ Oak Tree Report dated April 30, 2016

Reviewed By:





Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER

2016-000369-(5)

HEARING DATE

10/18/2016

REQUESTED ENTITLEMENTS

Oak Tree Permit No. RPPL 2016002144

Conditional Use Permit No. RPPL 2016002957

PROJECT SUMMARY

OWNER / APPLICANT

Andrew Oliver

MAP/EXHIBIT DATE

8/15/2016

PROJECT OVERVIEW

The applicant is requesting 1) an Oak Tree Permit to authorize the encroachment into the protected zone of three oak trees to allow the digging of a sewer trench and development of a second unit; and 2) a Conditional Use Permit to allow the construction of a second unit above an existing garage within 8'10" of the rear lot line pursuant to sections 22.56.2060 and 22.44.127.D.1.f of the Los Angeles County Code.

LOCATION

162 E. Las Flores Dr, Altadena, CA 91001

ACCESS

E. Las Flores Drive

ASSESSORS PARCEL NUMBER(S)

5833-017-024

SITE AREA

0.3 ac

GENERAL PLAN / LOCAL PLAN

Altadena Community Plan

ZONED DISTRICT

Altadena

LAND USE DESIGNATION

LD (Low Density Residential)

ZONE

R-1-7500 (Single Family Residence with a Minimum Required Lot Area of 7,500 square feet)

PROPOSED UNITS

2

MAX DENSITY/UNITS

6 du per gross acre

COMMUNITY STANDARDS DISTRICT

Altadena

ENVIRONMENTAL DETERMINATION (CEQA)

Class 3 Categorical Exemption – Construction or Conversion of Small Structures

Class 4 Categorical Exemption – Minor Alterations to Land

KEY ISSUES

- Consistency with the Altadena Community Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.2100 (Oak Tree Permit Burden of Proof Requirements)
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.44.127 (Altadena CSD requirements)
 - 22.20.105 to 22.20.150 (R-1 Zone Development Standards and Requirements)

CASE PLANNER:

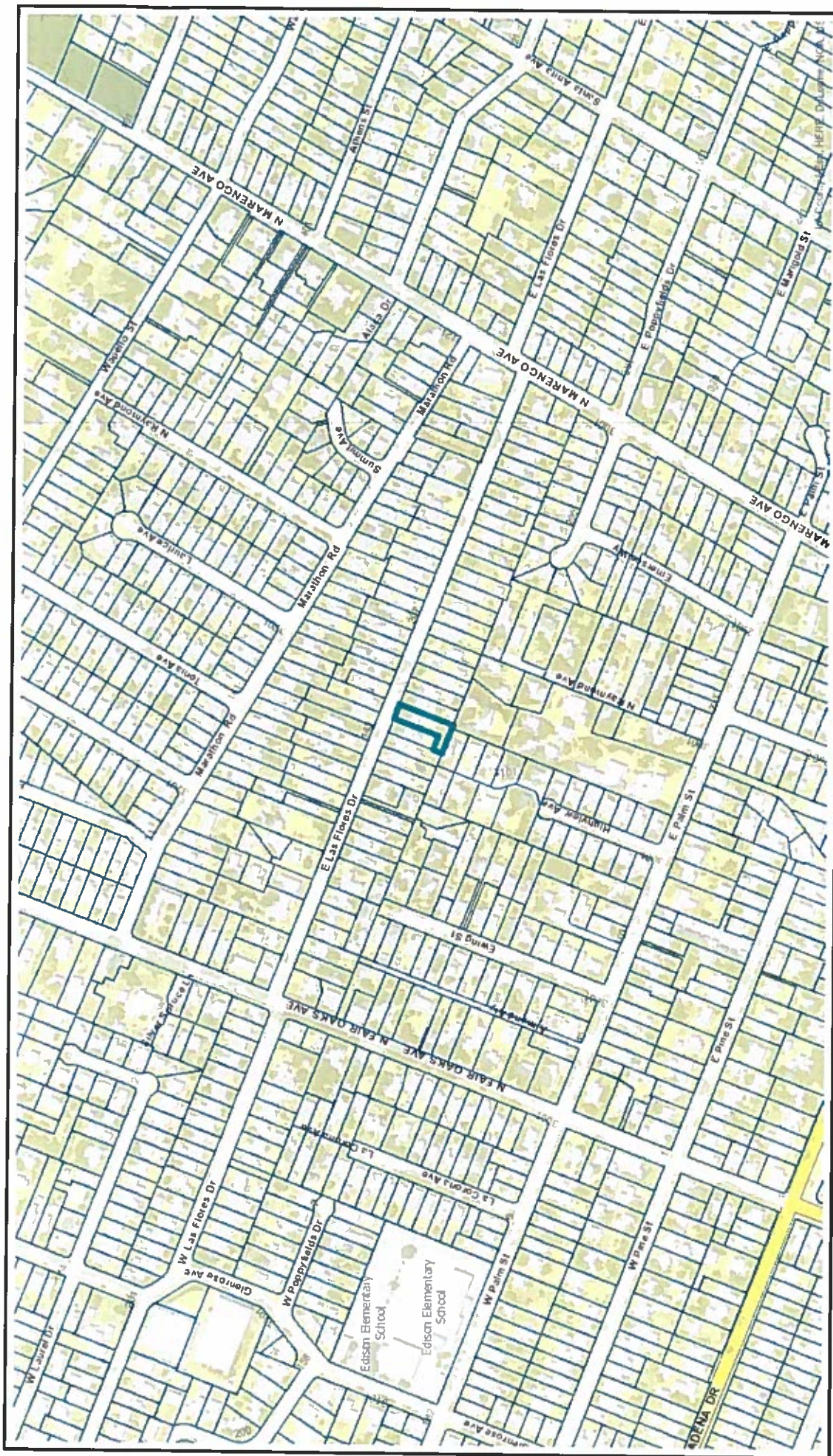
Carl Nadela

PHONE NUMBER:

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1.000

Feet



2016-000369-(5) / CUP RPPL 2016002957

Property Location Map

Printed: Sep 20, 2016

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ENTITLEMENTS REQUESTED

- Oak Tree Permit (OTP) for the encroachment into the protected zone of three oak trees to allow the digging of a sewer trench and development of a second unit in the R-1-7500 (Single Family Residence with a Minimum Required Lot Area of 7,500 square feet) Zone pursuant to County Code Section 22.56.2060.
- Conditional Use Permit (CUP) for the construction of a second unit above an existing garage within 8'10" of the rear lot line pursuant to the Altadena Community Standards District, County Code Section 22.44.127.D.1.f.

PROJECT DESCRIPTION

The applicant is requesting 1) an Oak Tree Permit to authorize the encroachment into the protected zone of three oak trees to allow the digging of a sewer trench and development of a second unit; and 2) a Conditional Use Permit to allow the construction of a second unit above an existing garage within 8'10" of the rear lot line.

SITE PLAN DESCRIPTION

The Site Plan depicts the whole parcel with the existing Single Family Residence located in front (north) and an existing detached two-car garage at the back (south). The site plan also indicates an existing two-story residence at the back, but as per approved Building Permit records, this space has only been permitted as storage space. Furthermore, the site plan also indicates a proposed two-car carport on the western side and a proposed addition to the detached garage structure. Finally, the site plan also indicates three oak trees located on the southern (rear) portion of the property and one oak tree on the north (front).

EXISTING ZONING

The subject property is zoned R-1-7500 (Single Family Residence with a Minimum Required Lot Area of 7,500 square feet).

Surrounding properties are zoned as follows:

North: R-1-7500

South: R-1-7500

East: R-1-7500

West: R-1-7500

EXISTING LAND USES

The subject property is developed with an existing Single Family Residence and a detached two-car garage with a storage room on the second floor.

Surrounding properties are developed as follows:

North: Single Family Residences

South: Single Family Residences, Adult Residential Facility

East: Single Family Residences

West: Single Family Residences

PREVIOUS CASES/ZONING HISTORY

Ordinance 5541 was adopted on May 9, 1950, which established the R-1-7500 zone on the subject property.

Zoning Conformance Review No. 201500391 was approved on June 23, 2015, which authorized a 593 square foot bedroom and bathroom addition attached to a 1,104 square foot patio and a 4 foot deck attached to the new addition.

Zoning Conformance Review No. RPPL 2015000330 was approved on January 14, 2016, which authorized the removal by hand of unpermitted structures located in the rear of the property.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 3 Exemption, Construction or Conversion of Small Structures and Class 4 Exemption, Minor Alterations To Land) under the California Environmental Quality Act (CEQA) and the County environmental guidelines because the project involves the construction of a small second unit and two-car carport and does not propose to remove or severely damage any oak trees. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the LD (Low Density Residential land use category of the Altadena Community Plan. This designation corresponds to common suburban tract residential development and the purpose of this designation is to preserve single-family neighborhoods. The existing single family residence and the proposed second unit are consistent with this land use designation.

The following policy of the General Plan is applicable to the proposed project:

- *Policy LU 7.1: Reduce and mitigate the impacts of incompatible land uses, where feasible, using buffers and other design techniques.*

The proposed second unit is sufficiently setback from the neighboring properties and will not have any adverse impacts on the surrounding areas.

The following policies of the Community Plan are applicable to the proposed project:

- *Issue 1, Policy 1: Preserve existing residential neighborhoods, commercial districts, community facilities, institutions, and environmental amenities.*
- *Issue 1, Policy 2: Provide for new development which is compatible with and complements existing uses.*

The project is compatible with the residential neighborhood that it will be located in and will not detract from the primarily residential character of the area. The project is

a good way to add new development in the area, while preserving the existing residential neighborhood.

Zoning Ordinance and Development Standards Compliance

Pursuant to Sections 22.20.105 to 150 of the County Code, establishments in the R-1 Zone are subject to the following development standards:

- Maximum Height

The maximum height for residences and other structures in the R-1 zone is 35 feet, except for chimneys and rooftop antennas. The highest point of the proposed second unit above the detached garage will be 20'11", in compliance with this requirement.

In addition to the R-1 zone standards, Section 22.52.1750.B.5.a.i also prescribes a maximum height of 17 feet for detached second units in urban areas. However, since the physical structure proposed for the second unit was built legally at the height indicated above, the structure itself has been deemed legally non-conforming due to height.

- Yard Requirements

As per the R-1 zone provisions, the subject site is required to have a front yard of at least 20 feet, side yards of at least 5 feet and rear yard of at least 15 feet. The existing single family residence and the proposed second unit are in compliance with these yard requirements, except for the rear yard requirement. This application includes a request for a CUP to allow less than required rear yard setback at the site.

- Parking Requirements

The existing single family residence and the proposed second unit at the site are both required to have two covered standard automobile parking spaces each. The existing detached 2-car garage and the proposed 2-car carport will satisfy this requirement.

Pursuant to Section 22.44.127 of the County Code, establishments in the Community Standards District (CSD) are subject to the following additional development standards:

- Additional Yard Requirements

In addition to the minimum 20 foot yard requirement, the CSD also requires that the front yard shall not be less than the average depth of all the front yards on the same side of the street on the same block. While this project does not propose any

modifications to the front yard, a review of the project site plan and the block its located indicate that it has an approximately 40 feet front yard, which is typical of the neighboring houses.

The CSD also requires that the rear yard be at least 35 feet. Because the rear yard proposed by the project is 8'10", a CUP is required pursuant to Section 22.44.127.D.1.f. The approval of this application will satisfy this requirement.

Site Visit

Staff conducted a site visit on September 8, 2016. Remodeling of the existing house was ongoing pursuant to RZCR201500391. Yellow tape was installed between the existing house and the back portion of the lot to protect the oak trees at the back. The existing detached garage and second story storage area looked rather old and dilapidated.

Burden of Proof

The applicant is required to substantiate all facts identified by Sections 22.56.040 and 22.56.2100 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The subject property consists of an existing single family residence with a detached two-car garage and second story storage area at the back. The project proposes to convert the second story storage area into a second unit. The surrounding land use are primarily single family residences similar to that existing one at the site. Since the proposed second unit is located on the rear of the property and is buffered from the neighboring properties with an approximately 5 foot block wall, staff is of the opinion that the project will not have any adverse effects on the surrounding neighborhood.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Based on comments in a letter from the County Fire Department, Forestry Division, dated September 1, 2016, the Oak Tree Report submitted for the project is accurate and complete as to the location, size, condition, and species of the Oak trees on the site. Recommended conditions are attached and incorporated into the draft conditions of approval of this permit.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

On September 13, staff received an email from a neighboring property owner indicating that while the physical changes to the property do not affect her, she did not support any

disturbances to the trees. She also indicated that if the project does not endanger the trees in any way, it was her opinion that a permit should not be a problem. Because of the Forester's clearance of the project, staff believes this concern has been addressed.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number 2016-000369-(5), Oak Tree Permit Number RPPL 2016002144 and Conditional Use Permit Number RPPL 2016002957, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE OAK TREE PERMIT NO. RPPL 2016002144 AND CONDITIONAL USE PERMIT NO. RPPL 2016002957 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Carl Nadela, Zoning Permits East Section
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Site Photographs, Aerial Image
Site Plan, Land Use Map

MM:CN
10/4/2016

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. 2016-000369-(5)
OAK TREE PERMIT NO. RPPL 2016002144
CONDITIONAL USE PERMIT NO. RPPL 2016002957**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Oak Tree Permit No. RPPL 2016002144 (OTP) and Conditional Use Permit No. RPPL 2016002957 ("CUP") on October 18, 2016.
2. The permittee, Andrew Oliver ("permittee"), requests the OTP for the encroachment into the protected zone of three oak trees to allow the digging of a sewer trench and development of a second unit, and the CUP for the construction of a second unit above an existing garage within 8'10" of the rear lot line, in conjunction with an existing Single Family Residence ("Project") on a property located at 162 E. Las Flores Drive, in the unincorporated community of Altadena ("Project Site") in the R-R Zone pursuant to Los Angeles County Code ("County Code") sections 22.56.2060 and 22.44.127.D.1.f.
3. The Project is located at 162 E. Las Flores Drive, Altadena, CA 91001.
4. The Project Site is 0.3 acres in size and is currently developed with an existing Single Family Residence located in front (north) and an existing detached two-car garage and two-story storage area located at the back (south).
5. The Project Site is located in the Altadena Zoned District and is currently zoned as R-1-7500 (Single Family Residence with a Minimum Required Lot Area of 7,500 square feet).
6. The Project Site is located within the LD (Low Density Residential) land use category of the Altadena Community Plan Land Use Policy Map.
7. Surrounding Zoning within a 500-foot radius includes:
 - North: R-1-7500
 - South: R-1-7500
 - East: R-1-7500
 - West: R-1-7500
8. Surrounding land uses within a 500-foot radius include:
 - North: Single family residences
 - South: Single family residences, adult residential facility
 - East: Single family residences
 - West: Single family residences
9. Ordinance 5541 was adopted on May 9, 1950, which established the R-1-7500 zone on the subject property.

Ordinance 10710 was adopted on June 28, 1973, changing the zone of the subject property to O-S (Open Space).

Zoning Conformance Review No. 201500391 was approved on June 23, 2015, which authorized a 593 square foot bedroom and bathroom addition attached to a 1,104 square foot patio and a 4 foot deck attached to the new addition.

Zoning Conformance Review No. RPPL 2015000330 was approved on January 14, 2016, which authorized the removal by hand of unpermitted structures located in the rear of the property.

10. The Site Plan depicts the whole parcel with the existing Single Family Residence located in front (north) and an existing detached two-car garage at the back (south). The site plan also indicates an existing two-story residence at the back, but as per approved Building Permit records, this space has only been permitted as storage space. Furthermore, the site plan also indicates a proposed two-car carport on the western side and a proposed addition to the detached garage structure. Finally, the site plan also indicates three oak trees at the back of the property and one at the front.
11. The Project Site is accessible via East Las Flores Drive to the north.
12. The site plan indicates a proposed two-car carport for the existing single family residence and the existing detached two-car garage for the proposed second unit.
13. A letter from the County Fire Department, Forestry Division, dated September 1, 2016, was received indicating that the Oak Tree Report submitted by the applicant's consulting arborist is accurate and complete as to the location, size, condition, and species of the oak trees at the site. Their proposed conditions are attached to the Conditions of Approval of this Oak Tree Permit.
14. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 3, Construction or Conversion of Small Structures and Class 4, Minor Alterations to Land, categorical exemptions from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the project involves only the construction of a small second unit and two-car carport and does not propose to remove or severely damage any oak trees.
15. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
16. On September 13, staff received an email from a neighboring property owner indicating that while the physical changes to the property do not affect her, she did not support any disturbances to the trees. She also indicated that if the project does not endanger the trees in any way, it was her opinion that a permit should not be a

problem. Because of the Forester's clearance of the project, the Hearing Officer finds that this concern has been addressed.

17. *To be inserted after the public hearing to reflect hearing proceedings.*

18. The Hearing Officer finds that the proposed second unit and associated oak tree encroachments and modification of the rear yard setback, are consistent with the LD (Low Density Residential) land use category of the Altadena Community Plan.

This designation corresponds to common suburban tract residential development and the purpose of this designation is to preserve single-family neighborhoods. The proposed second unit and associated oak tree encroachments and modification of the rear yard setback are consistent with the single-family residential neighborhood of the area and is thus consistent with this designation.

19. The Hearing Officer finds that the proposed second unit and associated oak tree encroachments and modification of the rear yard setback are consistent with the R-1-7500 (Single Family Residence with a Minimum Required Lot Area of 7,500 square feet) Zone pursuant to sections 22.20.105 to 150 (R-1 Development Standards) and 22.44.127 (Altadena Community Standards District) of the County Code.

The maximum height for residences and other structures in the R-1 zone is 35 feet, except for chimneys and rooftop antennas. The highest point of the proposed second unit above the detached garage will be 20'11", in compliance with this requirement.

An addition to the R-1 zone standards, Section 22.52.1750.B.5.a.i also prescribes a maximum height of 17 feet for detached second units in urban areas. However, since the physical structure proposed for the second unit already exists at the height indicated above, the structure itself has been deemed legally non-conforming due to height.

As per the R-1 zone provisions, the subject site is required to have a front yard of at least 20 feet, side yards of at least 5 feet and rear yard of at least 15 feet. The existing single family residence and the proposed second unit are in compliance with these yard requirements, except for the rear yard requirement. This application includes a request for a CUP to allow less than required rear yard setback at the site.

In addition to the minimum 20 foot yard requirement, the CSD also requires that the front yard shall not be less than the average depth of all the front yards on the same side of the street on the same block. While this project does not propose any modifications to the front yard, a review of the project site plan and the block its located indicate that it has an approximately 40 feet front yard, which is typical of the neighboring houses.

The CSD also requires that the rear yard be at least 35 feet. Because the rear yard proposed by the project is 8'10", a CUP is required pursuant to Section 22.44.127.D.1.f. The approval of this application will satisfy this requirement.

The existing single family residence and the proposed second unit at the site are both required to have two covered standard automobile parking spaces each. The existing detached 2-car garage and the proposed 2-car carport will satisfy this requirement.

20. The Hearing Officer finds that the proposed oak tree encroachments meet the Oak Tree Permit Burden of Proof requirements pursuant to Section 22.56.2100 of the County Code.

21. The Hearing Officer finds that the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56, on the subject property.

The Oak Tree Report submitted by the applicant and reviewed by the County Forester, as well as this Oak Tree permit, contains conditions that are intended to protect the three oak trees at the site. With the implementation of these conditions, the health of these trees will not be endangered

22. The Hearing Officer finds that that the proposed project will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated.

The project does not proposed to remove any oak trees and the proposed encroachments are located in the southern portion of the property, which is relatively flat in topography. Thus, the proposed encroachment into the protected zones of the three oak trees will not result in any increase in flow of surface water on the subject property that cannot be mitigated on site.

23. The Hearing Officer finds that proposed encroachment into the protected zone of the three oak tree will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

As per the Oak Tree Report prepared by Scott McAllaster, consulting arborist, on April 30, 2016, the proposed encroachments into the protected zones of the oak trees are unavoidable for the development being proposed by the property owner. The approval of this Oak Tree Permit, with the attached conditions, will ensure that the health of the oak trees in question will be preserved.

24. The Hearing Officer finds that the proposed project meets the Conditional Use Permit Burden of Proof requirements pursuant to section 22.56.040 of the County Code.

25. The Hearing Officer finds that the requested use at this location will not adversely affect the health, peace, comfort or welfare of persons residing, working or commuting in the area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the health, safety or general welfare of the public.

The proposed second unit is located on the rear of the property and is buffered from the neighboring properties with an approximately 5 foot block wall. Its design is also

compatible with the surrounding areas and is not expected to have any adverse effects on the surrounding neighborhoods.

26. The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The project site is approximately 0.3 acres in size, with a fairly large backyard. There is ample space for the proposed second unit, as well as for the garage and carport required for the existing single family residence and proposed second unit.

27. The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required. The proposed site is adequately served by public utilities as required by the proposed use.

The property is directly adjacent to E. Las Flores Drive, and has access to energy and other public utilities.

28. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Altadena Library at 600 E. Mariposa St., Altadena, CA 91001. On September 8, 2016, a total of 360 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 16 notices to those on the courtesy mailing list for the Altadena Zoned District and to any additional interested parties.

29. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan and the Altadena Community Plan.
- B. The proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56 of the County Code on the subject property.

- C. The proposed encroachment of the oak trees will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated.
- D. The proposed encroachment of the oak trees is necessary as continued existence at present locations frustrates the planned development and proposed use of the subject property to such an extent that placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized.
- E. The proposed encroachment of oak trees will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.
- F. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- G. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- H. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to sections 15303 and 15304 of the State CEQA Guidelines (Class 3, Construction or Conversion of Small Structures and Class 4, Minor Alterations to Land categorical exemptions); and
2. Approves Oak Tree Permit No. RPPL 2016002144 and Conditional Use Permit No. RPPL 2016002957, subject to the attached conditions.

ACTION DATE: October 18, 2016

MM:CN

10/5/2016

c: Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 2016-000369-(5)
OAK TREE PERMIT NO. RPPL 2016002144
CONDITIONAL USE PERMIT NO. RPPL 2016002957**

PROJECT DESCRIPTION

The applicant is requesting 1) an Oak Tree Permit to authorize the encroachment into the protected zone of three oak trees to allow the digging of a sewer trench and development of a second unit; and 2) a Conditional Use Permit to allow the construction of a second unit above an existing garage within 8'10" of the rear lot line as per the Altadena Community Standards District.

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but

not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

If any inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for inspections shall be \$200.00 per inspection, or the current recovery cost at the time any inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to

the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
14. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A".

PERMIT SPECIFIC CONDITIONS – OAK TREE PERMIT

17. The permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated September 1, 2016 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division.
18. The permittee shall plant one healthy acorn of the same species of oak (*Quercus sp.*) as the tree removed for each mitigation tree planted, if any. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.

19. All replacement trees shall be planted on native undisturbed soil and shall be the same species of oak (*Quercus sp.*) as the removed tree. The location of the replacement tree shall be in the vicinity of other oak trees of the same species. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.
20. When replacement trees are planted on disturbed soil or are not in the vicinity of the same species of oak (*Quercus sp.*) as the removed tree, planting shall incorporate a mycorrhizal product, either as amendment or in the first two irrigations or watering of planted trees (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.
21. That the trees on the site plan be physically identified by number on a tag affixed to the north side of the tree in a manner preserving the health and viability of the tree. The tag shall be composed of a noncorrosive all-weather material and shall be permanently affixed to the tree. The tree shall be similarly designated on the site plan in a manner acceptable to the director,
22. At the start of grading operations and throughout the entire period of development, no person shall perform any work for which an oak tree permit is required unless a copy of the oak tree report, location map, fencing plans, and approved oak tree permit and conditions are in the possession of a responsible person and also available at the site.

PROJECT SITE SPECIFIC CONDITIONS

23. This grant shall authorize a modification to the Altadena Community Standards District to authorize the development of a second unit adjacent to and on top of a two-car garage within the required rear yard ("Project") on a property located at 162 E. Las Flores Drive in the unincorporated community of Altadena ("Project Site") in the R-1-7500 zone pursuant to Los Angeles County Code ("County Code") section 22.44.127.D.1.f. The resulting rear yard from the Project will be 8 feet and 10 inches.

Attachments:

County Forester's Letter dated **September 1, 2016**.
Oak Trees: Care and Maintenance Guide



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

September 1, 2016

Carl Nadela, Planner
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Carl Nadela:

**OAK TREE PERMIT NUMBER RPPL 2016-002144
PROJECT NUMBER 2016-000369-(5)
162 EAST LAS FLORES STREET, ALTADENA**

We have reviewed the "Request for Oak Tree Permit #RPPL 2016-002144." The project is located at 162 East Las Flores Street in the unincorporated area of Altadena. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by James Sanchez, the consulting arborist, dated October 28, 2015.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$300. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER

BRADBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA

CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENORA
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA-FLINTRIDGE

LA HABRA
LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA
LYNWOOD
MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT

PICO RIVERA
POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection prior to the commencement of construction and two (2) subsequent inspections until the conditions of approval have been met. The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department's Forestry Division stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester, any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
5. The permittee shall install temporary chainlink fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE ENCROACHMENT:

7. This grant allows encroachment within the protected zone of three (3) trees of the Oak genus identified as Tree Number 2, 3, and 4 on the applicant's site plan and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved and treated as recommended by the consulting arborist.
8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two-inches in diameter or less in accordance

with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachments.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia, grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester, indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department's Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

To schedule a County Forester inspection, please contact the Environmental Review Unit at (818) 890-5719.

If you have any additional questions, please contact this office at (818) 890-5758.

Very truly yours,


J. LOPEZ, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

JL:jl

Enclosure



Los Angeles County
Department of Regional Planning
Planning for the Challenges Ahead



OAK TREE PERMIT BURDEN OF PROOF

Please identify the number of oak trees proposed for:

_____ Removal _____ Encroachment _____ To Remain _____ Total existing oak trees

Pursuant to Zoning Code Section 22.56.2100, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56, if any, on the subject property.

As determined by the Oak Tree Study and Report dated August 28, 2015 by Carlberg Associates, registered arborist, the project will have "negligible, in any, negative impacts to the three protected protected oak trees". Copies of the report are attached.

B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.

No oak trees will be removed or relocated

C. That in addition to the above facts, at least one of the following findings must apply:

1. That the removal of oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such an extent that:
 - a. Alternate development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
 - b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or
2. That the oak tree(s) proposed for removal or relocation interfere with utility service or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the tree(s), or
3. That the oak tree(s) proposed for removal, with reference to seriously debilitating disease or danger of falling, is such that it cannot be remedied through reasonable preservation procedures and practices.

No oak trees will be removed or relocated

D. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

No oak trees will be removed or relocated



Los Angeles County
Department of Regional Planning
Planning for the Challenges Ahead



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

Remodel of existing residence and detached garage with guest quarters will not affect the health peace, comfort or welfare of persons residing or working in the surrounding area. The remodel will increase the enjoyment and valuation of the property and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The project is to remodel an existing single family house with detached garage and is typical use for the surrounding area.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

The site is served by all public services.

OLIVER & ASSOCIATES

LAND PLANNING AND CONSTRUCTION MANAGEMENT

PROJECT NARRATIVE

The property located at 162 E. Las Flores Drive in Altadena, CA was originally built in 1920 as a 3 bedroom / 1 bath house totaling 992 square feet with a two story garage. The first floor of the garage was 480 square with 396 square feet of living space above. The second floor consisted of a 1 bedroom / 1 bath and living area. In 1930 an addition of 122 square feet was added to the main house for a total of 1,104 square feet. Permits are attached for all of the construction above.

Our plan is to increase the square footage of the main house by 593 square feet to create a master bedroom with in-suite bath.

At some point – most likely 80-90 years ago, additional square footage was added to the east and west sides of the garage along with a porch. Because at that time permits were not always required and record keeping was sparse, we have not been able to locate permits for these additions. In order to keep these areas and remodel the guest quarters we are requesting the Conditional Use Permit.

We also have an Oak Tree Permit application on file to dig a trench so that the property's plumbing can be connected to the County's sewer line and to add a sump pump which has been required by the County Planning Department.

An oak tree study was conducted by a licensed arborist (Exhibit 2 attached) and they determined that making the proposed renovation to the garage and guest unit could be added without damage to the existing trees or their roots. The property owner, Dr. Massoud Soleimani has contracted with a licensed arborist who will monitor the demolition and remodel of the rear unit. See attached contract Exhibit 3.

The plans for the rear unit are to repair the existing 480 square foot 2-car garage on the first floor; and remodel the existing 402 square foot (field verified) second floor with 2 bedrooms / 2 bath, laundry room and living area.

Carl Nadela

From: Rachel Figura <rachelfigura@ymail.com>
Sent: Tuesday, September 13, 2016 12:57 PM
To: Carl Nadela
Subject: Project # 2016-000369-(5), Conditional Use Permit # RPPL 2016002957

Follow Up Flag: Follow up
Flag Status: Flagged

Hello; to whom this concerns,

I am in the 1000 sq. ft. radius of this requested permit.

The second story or any physical changes to this property visually do not effect me.
However, I am against any disturbance of the large mature trees in Altadena.
Being that the oaks are protected I do not want to support any disturbance to the trees.
If the proposed trench does not endanger the tree in anyway, a permit should be no problem.

With the drought many trees are dying.
I moved to Altadena because I prefer nature over development.
I believe light and space are important and as the neighbor to this property I would not want a 2nd story built which would block the view and/or eliminate light and space.

Another important concern here is if approved it would set a precedence for future over development and disruption or removal of trees.
I do not approve this requested permit.

Keep the spacious feeling of Altadena.
No over development.

Best regards ~

Rachel Figura
3061 Raymond Ave.
Altadena, Ca. 91001

Photographs for Project No. 2016-000369-(5)

View of the property from the front (north)



View of eastern side of the property



View of new addition to existing SFR



View of existing detached garage and storage area at the back and Oak Tree #2



View of Oak Trees #2 (left), #3 (right) and #4 (back)



View of Oak Trees #3 (front) and #4 (back)



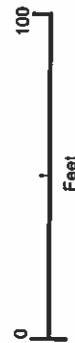
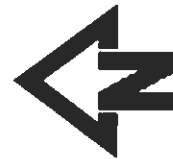


2016-000369-(5) / CUP RPPL 2016002957

Aerial Image

Printed: Sep 20, 2016

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April 30, 2016

Dr. Massoud Soleimani
162 East Las Flores Drive
Altadena, California 91001

**Re: 162 East Las Flores Drive – Altadena, California
County of Los Angeles, Oak Tree Assessment Letter**

Mr. Soleimani,

We were notified on April 26, 2016 by your development consultants, Oliver Associates, that in December 2015, trenching for a sewer line was performed under the **Tree Protection Zones¹** of two coast live oaks (*Quercus agrifolia*). These trees are located in the rear yard of 162 East Los Flores Drive in the unincorporated area of Altadena, California. It was our understanding (and is reflected in our December 2015 letter) that all construction would remain outside the protected zones, but this oversight occurred nevertheless. Two additional protected oaks on the property were unaffected by the trenching.

The County of Los Angeles issued a "Stop All Work" order (April 20, 2016) on the property improvements until an assessment was made of the two affected oak trees. We were retained to evaluate these trees, and made our site visit on April 27, 2016. Laborers (hired by you) assisted me by uncovering the trench so we could observe the level of disturbance to the root zones.

Following is an outline of submittal items related to the subject property:

- October 28, 2015 – Oak Tree Report, prepared by Carlberg Associates, was submitted to applicant. Report was based on Site Plan, dated June 15, 2015, and stated encroachments within the protected zones of Oak Trees #2, 3, and 4.
- December 16, 2015 – Carlberg Associates was notified by Andrew Oliver & Associates that the construction plans changed and that the encroachments within trees #2, 3, and 4 would be less than significant.
- December 18, 2015 – Carlberg Associates issued a letter to Douglas Chastain of the Los Angeles County Department of Regional Planning, indicating the reduced impacts and requesting a waiver to the Oak Tree Permit.
- January 2016 – The applicant submitted the October 28, 2015 Oak Tree Report and the December 18, 2015 letter to Regional Planning. Regional Planning determined that an Oak Tree Permit would not be necessary for this project.

Santa Monica Office
828 Fifth Street, Suite 3
Santa Monica, California 90403
Office: 310.451.4804

Sierra Madre Office
80 West Sierra Madre Boulevard, #241
Sierra Madre, California 91024
Office: 626.428.5072

www.cycarlberg.com

¹ As defined in the Los Angeles County Oak Tree Ordinance, the **Tree Protection Zone** is a specifically defined area within the dripline of an oak tree and extending to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater.

The December 2015 trenching was executed by a plumber that was performing work as part of the property improvements. We were not notified that the trenching would take place nor were we present when it occurred. An appreciable portion of the root systems of trees #3 and 4 were affected. The locations of the four protected oak trees are illustrated in Exhibit 1: 'Oak Tree Impact Exhibit and Protection Plan' on page 10.

On April 27, 2016, an exploratory trench was excavated under our direction, in a similar alignment as the trench excavated in December 2015. Although some damaged roots were exposed and a certain level of impact could be ascertained, it can be assumed that those exposed roots are only a portion of what was originally impacted.

Tree No. 3

Excavation occurred approximately four feet from the trunk. We revealed a number of damaged roots: five roots under 1" diameter, seven 1" roots, four 2" roots, and two 3" roots. Our analysis of attached Exhibit 2 concludes that approximately 40% of the root system was impacted.

Arboricultural research discourages root severance within five times the tree's trunk diameter on any one side of the tree. In this instance, we refer to this area as the 'critical root zone'. Since this tree has a trunk diameter of 28.5 inches, the critical root zone would extend approximately 12 feet from the trunk. Ideally, no excavation would have occurred closer than 12 feet from the trunk.

Tree No. 4

Excavation occurred approximately five feet northwest of the trunk. Six roots under 1" diameter, two 1" roots, one 2" root, one 3" root, and one 4" root were exposed and revealed to be damaged and torn.

With a trunk diameter of 30 inches, the critical root zone would extend approximately 12.5 feet from the trunk. Our analysis of attached Exhibit 2 concludes that approximately 35% of the root system was affected. Ideally, no excavation would have occurred closer than 12.5 feet from the trunk.

CONCLUSION

Although this root severance was an unfortunate occurrence, I do not believe that the trees have been irreparably damaged. In our recommendations below, we suggest that tree nos. 3 and 4 be evaluated twice yearly for three years. Detrimental affects of this kind of root damage can sometimes take years to become evident. Thankfully, both trees 3 and 4 are healthy specimens and should sustain this root disturbance.

Although an Oak Tree Permit was not initially required for this project, the following recommendations should be adhered to during the project's duration:

- Any grubbing, demolition, digging, excavating, filling, grading, construction, or trenching within the Tree Protection Zone of any protected tree is monitored by the Arborist of Record.
- Equipment, materials, and vehicles shall not be stored, parked, or operated within the tree protection zone of any oak tree to remain.
- Oak leaf litter should be allowed to accumulate naturally within the tree protection zones of Trees #1-4.
- Any required grading for the foundations and footings must remain outside the tree protection zones.
- Excavation within the tree protection zone of any oak tree to remain shall be performed using hand tools.
- Placement of any additional utility lines or drains shall be placed to avoid severing significant (>2 inches in diameter) roots.



- If canopy pruning is found to be necessary for trees to remain, it should only be performed by a qualified ISA Certified Arborist or ISA Certified Tree Worker.
- Five (5) foot high chain link fencing shall be installed as illustrated on the proposed protective fencing plan prior to the commencement of demolition and the continuation of construction activities. The fencing plan shall be reviewed and approved by the County Forester.
- All fencing and trunk protection shall be verified by the County Forester prior to commencement of work and shall remain in place until the County Forester approves its removal.
- A 'Warning' sign is prominently displayed on each protective enclosure. The sign will be a minimum of 8.5 inches x 11 inches and clearly state the following:

**TREE PROTECTION ZONE
THIS FENCE SHALL NOT BE REMOVED
ARBORIST OF RECORD: CARLBERG ASSOCIATES
PHONE NO: 626.428.5072**

- Scaffolding or other temporary construction equipment should be placed in such a manner to avoid affecting the canopy of the oak trees.
- Trees # 3 and 4 should be reviewed for detrimental changes in health or structure condition once every six months for at least three years. Short, photo-documented letter reports should be prepared and submitted to the County Forester within 10 days after each visit.

Please feel welcome to contact me at 424.285.3334 if you have any immediate questions or concerns.

Respectfully submitted,



Scott McAllaster
ISA Certified Arborist, #WE-7011A

Sierra Madre Office
scott@cycarlberg.com



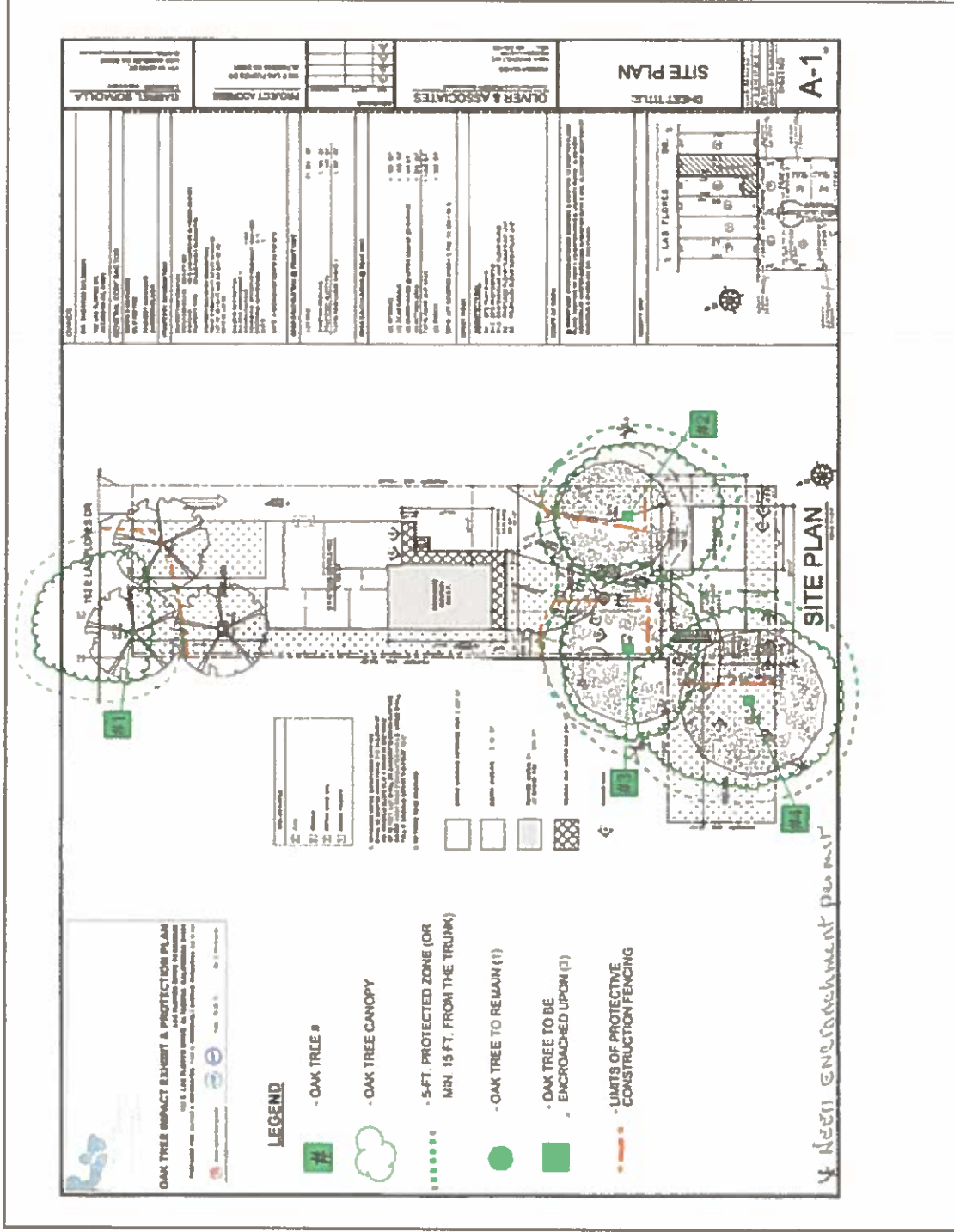


EXHIBIT 1 – REDUCED COPY OF THE OAK TREE IMPACT EXHIBIT & PROTECTION PLAN, DATED 10/20/15



**EXHIBIT 2 -- ESTIMATED AREA OF ROOT ZONE IMPACTED BY TRENCHING
(INDICATED BY RED LINE)**



Canopy of
Tree #3

PHOTO TAKEN 12/8/15 BY COUNTY INSPECTOR
- FACING NORTH WITH PORTION OF CANOPY OF TREE #3 IN VIEW -
PHOTO ILLUSTRATES LOCATION AND EXTENT OF TRENCHING PERFORMED TO THE
EAST OF THE TRUNK OF TREE #3

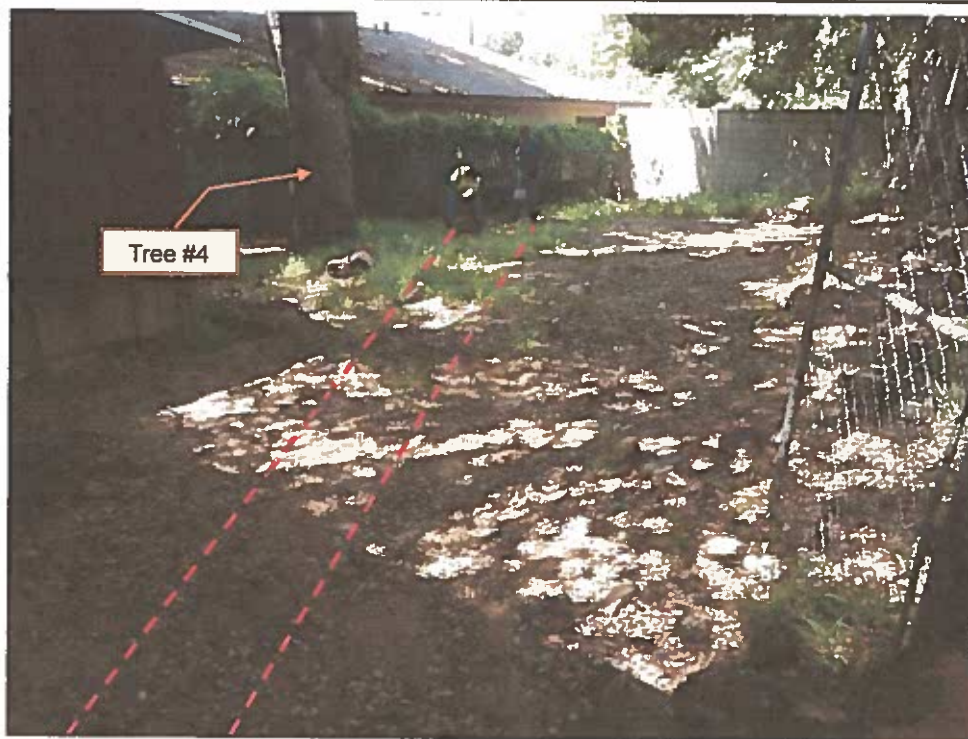


PHOTO TAKEN 12/8/15 BY COUNTY INSPECTOR
- FACING SOUTHWEST AT TREE #4 -
PHOTO ILLUSTRATES LOCATION AND EXTENT OF TRENCHING PERFORMED TO THE
EAST OF THE TRUNK OF TREE #4





**TREE #3 – ILLUSTRATING SITE CONDITIONS ON 4/27/16 (4 MONTHS AFTER TRENCHING OCCURRED)
APPROX. LOCATION OF DECEMBER 2015 TRENCH INDICATED BY RED DASHED LINE**



**TREE #4 – ILLUSTRATING SITE CONDITIONS ON 4/27/16 (4 MONTHS AFTER TRENCHING OCCURRED)
APPROX. LOCATION OF DECEMBER 2015 TRENCH INDICATED BY RED DASHED LINE**



TREES #3 & 4 – ILLUSTRATING SITE CONDITIONS ON 4/27/16 (4 MONTHS AFTER TRENCHING OCCURRED)



TREES #3 & 4 – ILLUSTRATING LOCATION & ALIGNMENT OF EXPORATORY TRENCH

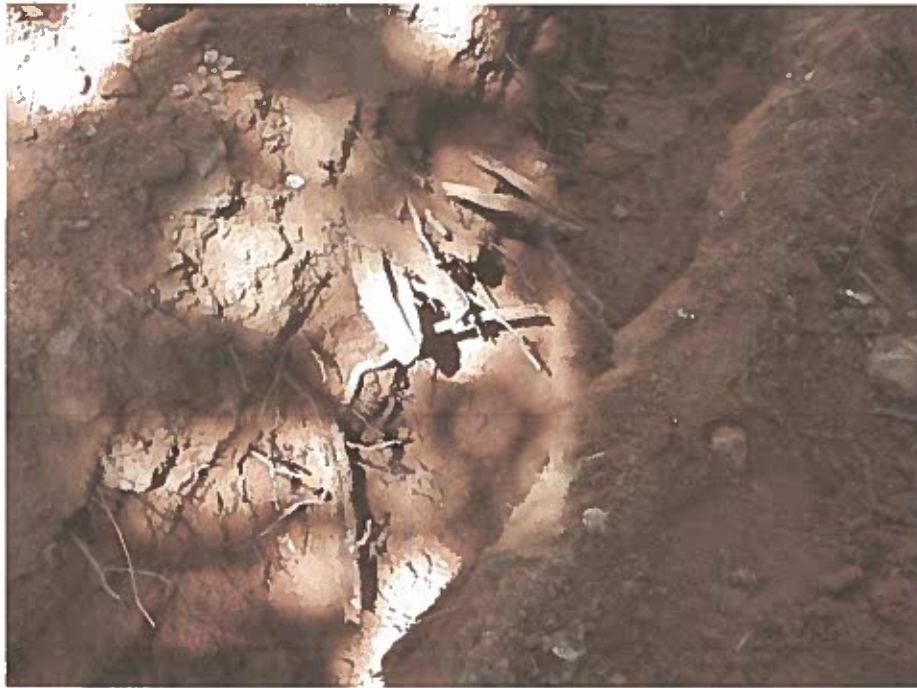




TREE #3 – ILLUSTRATING LOCATION & ALIGNMENT OF EXPLORATORY TRENCH – APPROX. 4 FEET EAST OF TRUNK



TREE #3 – ILLUSTRATING TWO DAMAGED ROOTS (2" & 3" DIAMETER)



TREE #3 – ILLUSTRATING DAMAGED ROOTS



TREE #3 – ILLUSTRATING EXTENT OF DAMAGED ROOTS





TREE #4 – ILLUSTRATING EXTENT OF DAMAGED ROOTS



TREE #4 – ILLUSTRATING ONE DAMAGED ROOTS (3" DIAMETER)



TREE #4 – ILLUSTRATING EXTENT OF DAMAGED ROOTS



TREE #4 – ILLUSTRATING DAMAGED ROOTS PROPERLY PRUNED



TREE #4 – ILLUSTRATING DAMAGED ROOTS PROPERLY PRUNED



TREE #3 – ILLUSTRATING DAMAGED ROOTS PROPERLY PRUNED



SCOTT MCALLASTER

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Education B.A., Environmental Studies, University of California, Santa Barbara, 2000

Experience Project Planner & Senior Arborist, Land Design Consultants, Inc.
Pasadena, 1999 – 2014

Certificates Certified Arborist, WE-7011A, International Society of Arboriculture, 2004
Qualified Tree Risk Assessor, International Society of Arboriculture, 2015

AREAS OF EXPERTISE

Mr. McAllaster is experienced in the following areas of tree management and preservation:

- Tree health & risk assessments
- Inventories & reports for native and non-native trees
- Master planning
- Evaluation of trees for preservation, encroachment, relocation, restoration, and hazards
- Value assessments (appraisals) for native and non-native trees
- Post-fire inventories, assessments, and valuations for native and non-native trees
- Guidelines for tree preservation, planting, pruning and maintenance specifications
- Tree and landscape resource mapping – GPS, GIS, and AutoCAD
- Planning Commission, City Council, and community meetings representation
- Review of landscape plans for mitigation compliance & fire fuel modification planning
- Performance of long-term mitigation compliance monitoring & reporting

PREVIOUS CONSULTING EXPERIENCE

Mr. McAllaster has performed hundreds of tree inventories, health evaluations, impact analyses, hazard, and value assessments for counties, cities, sanitation districts, and water districts, as well as private developers, architects, engineers, and homeowners. He has over 10 years of experience in arboriculture and is trained in environmental planning, state and federal regulatory permitting, preparation of CEQA analyses, and habitat mitigation planning and implementation. Representative clients include:

City of Pasadena	San Diego Gas & Electric
City of Santa Clarita	Corky McMillin Companies
City of Glendora	City of South Gate
Los Angeles County Fire Department	City of Arcadia
Los Angeles County Sanitation Districts	D2 Development
Newhall County Water District	Burtec, Inc.
Pulte/Centex Homes	
Newhall Land and Farming	

AFFILIATIONS

Mr. McAllaster serves with the following national and regional professional organizations:

- Member, International Society of Arboriculture, Western Chapter
- Member, Street Tree Seminar, Inc.



CHRISTINE CUBA
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Education

B.A., Environmental Analysis & Design, University of California, Irvine, 1993
Graduate, International Society of Arboriculture Certification Study Program, April 1998
Graduate, Consulting Academy, American Society of Consulting Arborists, February 2008

Experience

Senior Arborist/Associate, Carlberg Associates, 2011 – Present
Director of Environmental Services & Senior Arborist, Land Design Consultants, Inc., Pasadena, 1994 – 2011
Park Specialist/Naturalist, City of Monrovia, 1988-1996

Certificates

Certified Arborist, WE-1982A, International Society of Arboriculture, 1998
Registered Consulting Arborist, #502, American Society of Consulting Arborists, 2011
Certified Tree Risk Assessor, #1529

AREAS OF EXPERTISE

Ms. Cuba is experienced in the following areas of tree management and preservation:

- Tree health & risk assessments
- Inventories & reports for native and non-native trees
- Master planning
- Evaluation of trees for preservation, encroachment, relocation, restoration, and hazards
- Value assessments (appraisals) for native and non-native trees
- Post-fire inventories, assessments, and valuations for native and non-native trees
- Guidelines for tree preservation, planting, pruning and maintenance specifications
- Pest and disease identification
- Tree and landscape resource mapping – GPS, GIS, and AutoCAD
- Planning Commission, City Council, and community meetings representation
- Review of landscape plans for mitigation compliance & fire fuel modification planning
- Preparation of native habitat and woodland management plans
- Performance of long-term mitigation compliance monitoring & reporting
- Expert testimony

PREVIOUS CONSULTING EXPERIENCE

Ms. Cuba has performed hundreds of tree inventories, health evaluations, impact analyses, hazard, and value assessments for counties, cities, sanitation districts, and water districts, as well as private developers, architects, engineers, and homeowners. She has over 23 of experience in arboriculture and is trained in environmental planning, state and federal regulatory permitting, preparation of CEQA analyses, and habitat mitigation planning and implementation. Representative clients include:

City of Pasadena
City of Monrovia
City of Santa Clarita
City of Glendora
Los Angeles County Fire Department
Los Angeles County Sanitation Districts
The New Home Company
Pulte/Centex Homes
Newhall Land and Farming
Marmol Radziner Architects
Karen Moran, Architect

San Diego Gas & Electric
Quinn, Emanuel, Urquhart and Sullivan (attorneys at law)
Figure 8 Group
City of South Gate
City of Sierra Madre
D2 Development
The Claremont Colleges (Pomona, Claremont Graduate University)
Las Encinas Hospital
Rose Bowl Stadium
Mia Lehrer + Associates, Landscape Architects
Pamela Burton and Company, Landscape Architects

AFFILIATIONS

Ms. Cuba serves with the following national and regional professional organizations:

- Member, American Society of Consulting Arborists
- Member, International Society of Arboriculture, Western Chapter
- Member, Los Angeles Oak Woodland Habitat Conservation Strategic Alliance
- Past President, 2015, Street Tree Seminar, Inc.

